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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,875	09/14/2006	Masahiro Takehi	JP920030304US1	1689

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SCHMEISER, OLSEN & WATTS  
22 CENTURY HILL DRIVE  
SUITE 302  
LATHAM, NY 12110

EXAMINER
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VAUGHAN, MICHAEL R

ART UNIT	PAPER NUMBER
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2431

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04/20/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/598,875	<b>Applicant(s)</b> TAKEHI, MASAHIRO	
	<b>Examiner</b> MICHAEL R. VAUGHAN	<b>Art Unit</b> 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 26,28,30,31 and 50-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26,28,30,31 and 54-69 is/are rejected.
- 7) ☒ Claim(s) 50-53 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

The instant application having Application No. 10/598875 is presented for examination by the examiner. Claims 26, 28, 30-31, and 50 have been amended. Claims 25 and 27, 29, and 32-49 have been canceled. Claims 51-69 have been added. Claims 26, 28, 30, 31, 50-69 remain pending.

### ***Response to Amendment***

#### ***Claim Objections***

Claim 65 is objected to because of the following informalities:

As per claim 65, it is missing its dependent claim by number. It is assumed 65 is dependent from 62.

#### ***Specification***

The specification is objected to because the references, non-patent document 1 and 2 can simply be incorporated by reference into the specification. There is no need for the use of reference linking as seen on page two of the written description.

### ***Claim Rejections - 35 USC § 112***

Current amendments overcome the previous 112 rejections. However the new claims are rejected under 35 USC 112.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 54-69 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 54, it is unclear which aspect of the invention is being claimed. The claim recites a system in the preamble but then discloses a method. As a system claim, the limitations of the method would not be given patentable weight. Only the limitations of the system, namely, a first server and a computer readable storage medium would be given patentable weight. Apparatus claims are distinguishable from the prior art by structure not function. The intended use (the method) is not distinguishable. For this Office Action, Examiner is rejecting the limitations of the method with prior art on the idea that Applicant will properly amend the claim to give those features patentable weight. Claims 55-61 are likewise rejected.

Also claim 54 is rejected for being indefinite with respect to the first server. It is unclear what is intended by recitation, "a first server being comprised by a plurality of servers". The federated environment would comprise the first server and a plurality of servers.

As per claims 62-69, it is similarly rejected for the reasons listed for claim 54 with respect to the claimed aspect of the invention.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 54-69 are rejected under 35 U.S.C. 101 because the claimed invention is does not squarely fall within one statutory class of invention. Claims 54-61 claim both a system and a process. Claims 62-69 claim both a computer program product (article of manufacturer) and a process.

***Response to Arguments***

Applicant's arguments with respect to claims 26, 28, 30, 31, and 50 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26, 54, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over USP 2004/0002878 to Hinton in view of USP Application Publication 2004/0210767 to Sinclair et al., hereinafter Sinclair.

As per claims 26, 54, and 62, Hinton teaches a method for recording server authentication information, comprising:

establishing, by a first server of a plurality of servers in a federated computing environment, a trusting relationship between the first server and a second server of the plurality of servers (0046) wherein said establishing the trusting relationship comprises exchanging, by the first server, an electronic certificate of the first server with an electronic certificate of the second server in accordance with a Public Key Infrastructure (PKI) method (0047);

after said establishing the trusting relationship, obtaining by the first server an authentication policy of the second server, wherein an authentication policy for each server of the plurality of servers is defined as at least one rule [rule set] of each server for authenticating users of the federated computing environment (0067). Hinton is silent in explicitly teaching registering by the first server the authentication policy of the second server within the first server after said obtaining the authentication policy of the second server. Sinclair teaches after said obtaining the authentication policy of the second server, registering by the first server the authentication policy of the second server within the first server [data is replicated into the first server from the other servers, 0024]. Registering the authentication policies along with the servers would

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allow the user to authenticate without having to provide or choose the server in which he/she wants to authenticate with. If the first server registers the policies of the other trusted servers it would cut down on the information needed to be sent during sign-on. This change would then streamline the sign-on process making it more efficient. It is within the ordinary capabilities of one of ordinary skill in the art to substitute known method which produce predictable results. Hinton already teaches the first server can provide authentication functions to user of the local domain (0049). By copying the policies of other trusted domains, the first server would be able to quickly authenticate users from other domains by "pre-fetching" the other domains' policies. Hinton takes single sign-on to the point where a user only has to be authenticated once in a federated environment. Sinclair takes single sign-on one step further by only needed the user to interact with any single server in order to authenticate in the domain. So many sign-ons with many different servers are reduced to one sign-on with one server without even having to necessarily interact with other servers during the sign-on process.

Claims 28, 55, and 63 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hinton and Sinclair as applied to claims 26, 54, and 62 and in further view of USP Application Publication 2001/0048025 to Shinn.

As per claims 28, 55, and 63, Hinton does not explicitly teach the at least one rule includes a data size for fingerprint authentication, a data size for voice print

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authentication, or a combination thereof. Hinton teaches users may contract for different strengths of various authentication schemes. The strengths of passwords or biometric templates are known by their data size. The more bits the more strength. Shinn teaches the use of a biometric template used in authenticating fingerprints and voice prints (0033) which are two types of biometric authentication sources. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to explicitly use fingerprints and voice print authentication within the system of Hinton because these are well known type of authentication sources. The size of the template dictates the strength and this too is notoriously well known in the art. These types of parameters [key length] are used in the defining policies relating to security strength. Biometric templates are converted into a binary unit and serves the same purpose as a password (key).

Claims 30, 56, and 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hinton and Sinclair as applied to claims 26, 54, and 62 and in further view of USP Application Publication 2002/0091928 to Bouchard et al., hereinafter Bouchard.

As per claims 30, 56, and 64, Examiner supplies the same rationale for combining the registering of the authentication policy of the second server into the first server's authentication policy as recited in the rejection of claim 26. Hinton teaches an authentication policy table where the lists of the other trusted servers are stored (0060). It is inherent that the address or location to those servers is maintained as well in order



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to communicate with them. Hinton fails to teach a relative priority of each server of a group of servers having a same authentication policy in the authentication policy table. Bouchard teaches a system in which multiple servers can designate priority to other servers for authentication in order to balance the load of the system (0047). Load balancing in computer networks is well known in the art. Assigning priority to servers is also well known in the art. In a load balancing system, the systems with the least amount of load have the higher priority in determining which server to communicate with. And conversely, those servers which have the highest amount of traffic are the least likely to be requested. Combining known methods in the art and yielding predictable results is within the ordinary capabilities of one of ordinary skill in the art. Therefore the claim is obvious in view of the teachings in the two references. One of ordinary skill could have maintained a priority list to balance the load of the network. If all the servers are able to perform authentication, it is obvious that they can share in those duties so that one is not overwhelmed.

Claims 31, 57, and 65 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hinton and Sinclair as applied to claims 26, 54, and 62 and in further view of USP Application Publication 2004/0107212 to Friedrich et al., hereinafter Friedrich.

As per claims 31, 57, and 65, Examiner supplies the same rationale for combining the registering of the authentication policy of the second server into the first

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server's authentication policy as recited in the rejection of claim 26. Hinton teaches an authentication policy table where the lists of the other trusted servers are stored (0060).

Hinton teaches server can communicate through the LDAP protocol (0029).

Hinton teaches the authentication policy of the second server is identical to an authentication policy of the first server [servers of the same federated environment; 0011]. Hinton does not explicitly teaches wherein a first common identifier (ID) exists in an authentication information Lightweight Directory Access Protocol (LDAP) of the first server and in an authentication information LDAP of the second server, wherein the first common user ID is used by a first user in the first server and by a second user in the second server such that the second user differs from the first user, and wherein the method further comprises: after said registering the authentication policy of the second server, registering by the first server the first common user ID in a exceptional ID table of the first server, wherein the exceptional ID table of the first server stores common user IDs and an indication of one or more servers associated with each common user ID stored in the exceptional ID table of the first server. In Sinclair's system combined with Hinton, multiple servers combine together their known authentication policies including those users belonging to each server. It is not unreasonable for one of ordinary skill to consider what would happen in the same user ID existed in both groups. LDAP which is notoriously well known in the art and taught by Hinton and Friedrich, handles this occurrence through home repositories which are unique to each user even if the user name is common. Friedrich addresses this situation by maintaining the home repository of each user in conjunction with a unique identifier (probably the SID or some

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other unique attribute to the user) (0033). This solves the problem of common user names by creating a pointer to which server or repository that user belongs to. In view of this teaching, Examiner finds that claim is obvious because one of ordinary skill could have first recognized the potential for two users having a common user name and dealt with it in the means taught by Friedrich.

### ***Allowable Subject Matter***

Claims 50-53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL R. VAUGHAN whose telephone number is (571)270-7316. The examiner can normally be reached on Monday - Thursday, 7:30am - 5:00pm, EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. R. V./

Examiner, Art Unit 2431

/Ayaz R. Sheikh/  
Supervisory Patent Examiner, Art Unit 2431